

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHER DIVISION-DETROIT

IN RE:

Eric Burris,

Debtor.

Case No. 08-54413

Chapter 13

Hon. Marci B. McIvor

CHRISTOPHER E. FRANK (P67169)

Attorney for DEBTOR

117 W. 4TH Street, Ste 201

Royal Oak, MI 48067

(248) 677-7445

DEBTOR'S MOTION TO SHOW CAUSE

NOW COMES, Debtor, Eric Burris, by and through his attorney, Christopher E. Frank, and for His Motion states as follows:

1. Debtor filed for relief under Chapter 13 on or about June 25, 2008.
2. At the time of said filing the Debtor was indebted to Laila Salem ("Creditor" herein), upon a State Court Judgment for Breach of Rental Contract, having a balance of approximately \$9,100.00.
3. Debtor's wages were garnished pursuant to the Judgment in the amount of \$764.83.
4. Debtor filed a Motion to Compel Turnover of the Garnished Monies and for Sanctions on July 15, 2008 against Creditor and/or Creditor's Counsel, Freddy E. Sackllah. (Docket number 34).
5. Creditor failed to respond to Debtor's Motion and this Court entered an Order Compelling Creditor and/or Creditor's Counsel to remit \$764.83 in garnished

wages, \$500.00 in costs within 10 (ten) days, and an additional \$1,000.00 in sanctions would be imposed.

6. Creditor has failed to remit any funds to the Debtor or Debtor's counsel as of September 9, 2008.

WHEREFORE, Debtor, Eric Burris, respectfully requests this Honorable Court to enter an Order as follows:

1. Enter a Writ of Garnishment against Creditor and Creditor's Counsel.
2. Award attorney fees and costs in the amount of one thousand and 00/100(\$1,000) in having to bring this Motion and for the continuing prosecution of this case;
3. Hold Defendant in contempt for failing to abide by this Courts August 14, 2008 Order.

Respectfully Submitted;
Christopher E. Frank

/s/ Christopher E. Frank
Christopher E. Frank (P67169)
Attorney for Debtor
117 W. 4th Street, Ste 201
Royal Oak, MI 48067
(248)-677-7445

Dated: September 11, 2008

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION- DETROIT

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Case No. 08-54413

Chapter 13

Hon. Marci B. McIvor

_____/

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_____ /

ORDER TO SHOW CAUSE

Debtor, Eric Burris, filed and served a Motion To Show Cause upon the Trustee, Creditor, and Creditor's Counsel pursuant to LBR 9014-1 (EDM). The Court has reviewed the motion finding good cause to grant the relief requested and enters this Order.

IT IS HEREBY ORDERED:

1. Debtor's motion is granted.
2. Enter an Writ of Garnishment against Creditor and Creditor's Counsel.
3. Award attorney fees and costs in the amount of one thousand and 00/100(\$1,000) in having to bring this Motion and for the continuing prosecution of this case;
4. Hold Defendant in contempt for failing to abide by this Courts August 14, 2008 Order.

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NOTICE OF MOTION TO SHOW CAUSE

Debtor, Eric Burris, has filed a Motion to Show Cause.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to award the requested relief, or if you want the court to consider your views on the motion, within 15 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:

United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: 09/11/08

By: /S/ CHRISTOPHER E. FRANK (P67169)
Attorney for DEBTOR
117 W. 4TH Street, Ste 201
Royal Oak, MI 48067
(248) 677-7445

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PROOF OF SERVICE

Christopher E. Frank, hereby certifies that on September 11, 2008, he filed the following documents via ECF filing:

- **Motion to Show Cause**
- **Notice of Motion to Show Cause**
- **Proposed Order**
- **Proof of Service**

Upon ECF Filing:

David Wm. Ruskin, Chapter 13 Trustee

Via first class mail:

Laila Salem
c/o Freddy Sackllah
Sackllah & Associates PLLC
8914 Napier Rd
Northville Twp, MI 48168

Freddy Sackllah
Sackllah & Associates PLLC
8914 Napier Rd
Northville Twp, MI 48168

Dated: September 11, 2008

/S/ CHRISTOPHER E. FRANK (P67169)

Attorney for DEBTOR

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